

74-CR-85

TITLE OF CASE	ATTORNEYS
<p data-bbox="576 245 904 275">THE UNITED STATES</p> <p data-bbox="717 306 764 329"><i>vs.</i></p> <p data-bbox="576 361 1044 396">EDWARD OUSLEY, JR. <i>(Jr.)</i></p>	<p data-bbox="1264 245 1592 348"><i>For U. S.:</i> Ben Baker Asst. U.S. Atty.</p> <p data-bbox="1264 554 1763 720"><i>For Defendant:</i> Roehm A. West (Appt.) Fourth National Bank Bldg. Tulsa, OK 74119 587-9411</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 7-1-74	Clerk				
J.S. 3 mailed 12-1-74	Marshal				
Violation Misrepresentation in acquisition of fire-arms materials	Docket fee				
Title Title 18					
Sec. Sec. 922(a)(6)					
3 cts. \$5,000 and/or 5 years.					

DATE	PROCEEDINGS
6-13-74	Indictment, filed in open court.jj
6-13-74	Record vote of grand jury, filed in open court.jj
6-14-74	Warrant of Arrest issued (\$5,000 c/s) filed.jj
9-9-74	Rec'd Magistrate proceedings from District of Arizona, filed. v
9-23-74	Financial Affidavit and Appt. of Counsel, filed. v
9-23-74	Return on Warrant of Removal on Indictment, filed. Rec'd & executed 9-21-74. v
10-3-74	Case set for arraignment at 9 a.m., 10/7/74, before Judge Joseph W. Morris. (FD for AEB-J)rm - notices mailed
10-7-74	Case called for arraignment & plea. Deft. present & represented. Govt. represented. Deft. acknowledges receipt of indictment; Indictment read. Deft. advised of charge. Deft. arraigned & enters plea of NOT GUILTY as to each Ct. 1,2 & 3. Deft. given 10 days to file motions & Pltf. given 5 days to respond. Case set on next jury docket.(JWM for AEB-J)bm
10-9-74	MO: Case set for Jury Trial on 11-12-74 at 9:30 a.m. (AEB-J)k ntes ml

DATE	PROCEEDINGS
11-11-74	<p>Case called for jury trial. Deft. present and represented. Govt. represented. Deft. withdraws plea of Not Guilty and enters plea of Nolo Contendere as to each count. Govt. objects to plea of Nolo Contendere. Court accepts Plea of Nolo Contendere as to each count. Sentencing set for November 26, 1974, at 10:00 A.M. Deft. remanded to custody of USM. (AEB-J)b</p>
11-26-74	<p>Case called for sentencing. Deft. is present & rep. Govt rep. Deft. and counsel are asked if they care to say anything before sentence is passed, and no cause to the contrary being shown:</p> <p style="text-align: center;">JUDGMENT AND SENTENCE - EDWARD OUSLEY, Jr.</p> <p>Ct. 1 - Sentenced to the custody of the Atty. Gen. for a period of five (5) years;</p> <p>Ct. 2 - Sentenced to the custody of the Atty. Gen. for a period of five (5) years, such sentence to run consecutively to that imposed in Ct. 1;</p> <p>Ct. 3 - Imposition of sentence is suspended and deft. is placed on probation for a period of five (5) years, such probation to commence at the expiration of sentences in Cts. 1 & 2. Remanded to USM. (AEB-J)k</p>
11-26-74	Judgment & Commitment, filed & Entered. (AEB-J)k
11-26-74	2 cc of J & C to USM. k
12-30-74	Return on J&C, filed. Delivered deft. on 11-26-74 to Tulsa County Jail, Tulsa, Oklahoma; delivered deft. on 12-19-74 to U. S. Pen. at Leavenworth, KS. k
3-20-75	Order overruling Deft's motion for reduction of sentence, filed (AEB-J)b cps to Deft. & counsel, U.S. Atty & Prob.

[illegible]

Dated Sept. 23, 1974

United States Magistrate

UNITED STATES MAGISTRATE

DISTRICT OF ARIZONA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE

RICHARD C. GORMLEY

(Name of magistrate)

PHOENIX, ARIZONA

(Address)

MAGISTRATE'S
DOCKET No. CASE No. M-74-394
THE UNITED STATES
vs.

EDWARD OYSLEY, JR.
(EDWARD OUSLEY, JR)

AFFIDAVIT OF EXISTING WARRANT

Complaint filed on SEPT. 3, 1974, by ROBERT P. SALAZAR
Official title DEPUTY U.S. MARSHAL, charging violation of
United States Code, Title 18, Section 922(A)(6),
19____, at TULSA in the
division of the EASTERN district of OKLAHOMA
as follows: FALSE STATEMENTS IN CONNECTION WITH THE ACQUISITION
OF A FIREARM

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date _____ Warrant/Summons for _____
(Name of defendant)
to (name and title of officer) _____
Substance of return _____

Date _____ Warrant/Summons for _____
(Name of defendant)
to (name and title of officer) _____
Substance of return _____

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date _____ Arrested by _____
on warrant of _____
(Name of issuing officer)
without warrant.

Appearances { for United States _____
(Name) (Address)
for accused APPTD: FEDERAL PUBLIC DEFENDER (THOS. KLEINSCHMIDT) PHOENIX
(Name) (Address)

Proceedings taken Defendant appeared before the Court. He was advised of the Warrant out of Tulsa,
(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared,"

Oklahoma, his right to counsel, a removal hearing, etc. He requested counsel and the F.P.D. Was
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived," apptd.
INTERVIEWED BY 9/4/74 Defendant appeared with his counsel, Thos. Kleinschmidt, Defendant
if that is the fact; any adjournments taken, etc.
signed Waiver of Removal Hearing.

Outcome WARRANT OF REMOVAL EXECUTED 9/4/74 BY U.S. MAGISTRATE GORMLEY FOR DEFENDANT'S
RETURN TO THE EASTERN DISTRICT OF OKLAHOMA (AT TULSA)
NORTHERN

Bail fixed Sept. 4, 1974 Amount, \$ 2,500.00 Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____ [or] by surety
(name) _____ Address _____
(name) _____ Address _____, who
justified by affidavit dated _____, 19____, [or] committed to _____
on _____, 19____

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
 at request of (name of party) _____
 Substance of return _____

_____, 19____, for (name of witness) _____
 at request of (name of party) _____
 Substance of return _____

_____, 19____, for (name of witness) _____
 at request of (name of party) _____
 Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

United States

(Name)

(Address)

Accused

(Name)

(Address)

WITNESSES FOR UNITED STATES:

(List names and addresses)

WITNESSES FOR ACCUSED:

(List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
 Proceedings taken _____

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash

deposited by (name) _____ Address _____

transmitted to clerk of district court _____, 19____

[or] by surety (names) _____ Address _____

and _____ Address _____

who justified by affidavit _____, 19____ Committed to _____

on _____, 19____

Certified to be a correct transcript.

Made this _____ day of _____, 19____

Transmitted to Clerk of United States District Court for the _____

district of _____ ARIZONA _____ SEPTEMBER 4, 19 74

RICHARD C. GORMLEY

United States Magistrate.